



PTO/SB/21 (09-06)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/553,386

Filing Date

August 16, 2007; Conf. No. 9076

First Named Inventor

Paul Hallenbeck

Art Unit

1632

Examiner Name

Not Yet Assigned

Attorney Docket Number

105576-0069-101

**ENCLOSURES** (Check all that apply)

|   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment and Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition (4-month extension) (in duplicate)<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br>Request for Corrected Filing Receipt<br>Exhibits A-D<br>Return Receipt Postcard |
| <b>Remarks</b><br>The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. <u>06-1075</u> , Order No. <u>105576-0069-101</u> . A duplicate copy of this transmittal letter is transmitted herewith.  |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                    |          |        |
|--------------|--------------------|----------|--------|
| Firm Name    | Ropes & Gray LLP   |          |        |
| Signature    | <i>Teresa Chen</i> |          |        |
| Printed name | Teresa A. Chen     |          |        |
| Date         | December 5, 2007   | Reg. No. | 55,352 |

**CERTIFICATE OF MAILING**

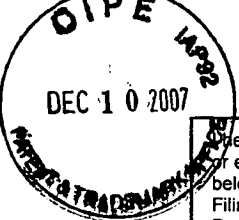
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Filing Receipt Corrections, Office of Initial Patent Examination, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

|                       |                     |      |                  |
|-----------------------|---------------------|------|------------------|
| Signature             | <i>Sarah Schlie</i> |      |                  |
| Typed or printed name | Sarah Schlie        | Date | December 5, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.  
www.FormsWorkflow.com



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:  
Filing Receipt Corrections, Office of Initial Patent Examination, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 5, 2007

Signature: *Sarah Schlie*

(Sarah Schlie)

Docket No.: 105576-0069-101  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hallenbeck et al.

Confirmation No.: 9076

Application No.: 10/553,386

Art Unit: 1632

Filed: August 16, 2007

Examiner: Not Yet Assigned

For: TMPRSS2 REGULATORY SEQUENCES AND  
USES THEREOF

**REQUEST FOR CORRECTED FILING RECEIPT**

Filing Receipt Corrections  
Office of Initial Patent Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Filing Receipt be issued in the above-identified patent application.

1. On August 16, 2007, Applicants filed a Revocation of Power of Attorney With New Power of Attorney and Change of Correspondence Address. Therefore, the section entitled "Power of Attorney," should be corrected to read "Attorneys associated with the Customer Number 1473." In support of this correction, Applicants attach as Exhibit A a copy of Revocation of Power of Attorney With New Power of Attorney and Change of Correspondence Address filed on August 16, 2007. Applicants respectfully request that the Power of Attorney and Correspondence Address be corrected to associate the above-identified application with Customer Number 1473.

2. On August 16, 2007, Applicants also filed a Change of Attorney Docket Number. Attached as Exhibit B is a copy of that document. Applicants respectfully request that the docket number be changed to 105576-0069-101 on all future correspondence.

3. In the "Assignment for Published Patent Application," Applicants respectfully request that the assignee information be changed from "CELL Genesys, Inc." to "Cell Genesys, Inc. (lower case).

4. The entity status on the Filing Receipt is listed as "Small Entity." On May 16, 2007, a Change in Entity Status was filed to change the status from small to large. Attached as Exhibit C is a copy of the Change in Entity Status document filed on May 16, 2007.

Attached as Exhibit D is a copy of the marked-up Filing Receipt highlighting the above changes.

Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect these corrections.

Applicants believe no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 06-1075, under Order No. 105576-0069-101 from which the undersigned is authorized to draw.

Dated: December 5, 2007

Respectfully submitted,

By Teresa A. Chen

James F. Haley, Jr.

Registration No.: 27,794

Teresa A. Chen

Registration No.: 55,352

ROPES & GRAY LLP

1211 Avenue of the Americas

New York, New York 10036-8704

(212) 596-9000

(212) 596-9090 (Fax)

Attorneys/Agents For Applicant

# **EXHIBIT A**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |                        |                            |
|--|------------------------|----------------------------|
| <b>REVOCATION OF POWER OF ATTORNEY WITH<br/>NEW POWER OF ATTORNEY<br/>AND<br/>CHANGE OF CORRESPONDENCE ADDRESS</b> | Application Number     | 10/553,386                 |
|  | Filing Date            | October 17, 2005           |
|  | First Named Inventor   | Paul Hallenbeck            |
|  | Art Unit               | 1636                       |
|  | Examiner Name          | Not Yet Assigned           |
|  | Attorney Docket Number | 105576-0069-101 (GT1008.2) |

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

1473

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

1473

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature

Name

Robert H. Tidwell, Senior Vice President, Corporate Development

Date

8/14/07

Telephone

650.266.3053

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# **EXHIBIT B**

Docket No.: 105576-0069-101  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Paul Hallenbeck et al

Confirmation No.: 9076

Application No.: 10/553,386

Group Art Unit: Not Yet Assigned

Filed: October 17, 2005

Examiner: Not Yet Assigned

For: TMPRSS2 REGULATORY SEQUENCES AND  
USES THEREOF

**CHANGE OF ATTORNEY DOCKET NUMBER**

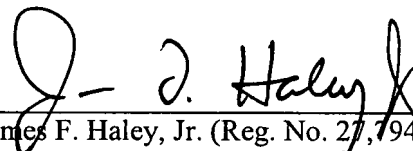
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please note that the Attorney Docket Number has been changed from 3802-166-27 NATL to 105576-0069-101. **Please reference 105576-0069-101 on all future correspondence.**

Applicants believe no fee is due with this paper. However, if a fee is due, applicants have authorized the Director in the accompanying Transmittal Form to charge any fees required to our Deposit Account No. 06-1075, under Order No. 105576-0069-101.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)  
Attorneys for Applicants

August 16, 2007

FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, New York 10036-8704  
Tel.: (212) 596-9000  
Fax: (212) 596-9090

# **EXHIBIT C**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                  |  |                   |                                  |
|------------------|--|-------------------|----------------------------------|
| Applicant:       | Hallenbeck, et al.                               | Docket No:        | 3802-166-27 NATL<br>(306229-326) |
| Application No.: | <b>10/553,386</b>                                | Filed:            | April 15, 2004                   |
| Group Art Unit:  | 1636   | Confirmation No.: | 9076                             |
| For:             | TMPRSS2 REGULATORY<br>SEQUENCES AND USES THEREOF | Examiner:         | <i>To be assigned</i>            |

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**CHANGE IN ENTITY STATUS**

**Mail Stop Amendment**  
**by facsimile to 571-273-8300**  
U. S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby notifies the Patent Office that it is no longer entitled to status as a small entity, and that the claim for small entity status as set forth in the verified statement filed in the above application is hereby withdrawn.

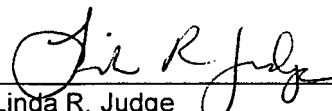
Applicant's change in status occurred on **July 23, 2003**, and Applicant's failure to notify the Patent Office at the time the first maintenance fee was paid was an error made in good faith by Applicant.

Respectfully submitted,

Date:

5/16/07

**Customer No. 29585**  
DLA PIPER US LLP  
Telephone: 415-836-2500  
Facsimile: 415-836-2501

  
Linda R. Judge  
Reg. No. 42,702

# **EXHIBIT D**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION<br>NUMBER | FILING or<br>371(c) DATE | GRP ART<br>UNIT | FIL FEE REC'D | ATTY. DOCKET NO                     | TOT CLAIMS | IND CLAIMS |
|-----------------------|--------------------------|-----------------|---------------|-------------------------------------|------------|------------|
| 10/553,386            | 08/16/2007               | 1632            | 1280          | 3802-166-27 NATL<br>105576-0069-101 | 31         | 2          |

CONFIRMATION NO. 9076

1473  
ROPES & GRAY LLP  
PATENT DOCKETING 39/361  
1211 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036-8704

RECEIVED

NOV 21 2007

FILING RECEIPT



OC000000025541513

Date Mailed: 11/15/2007

REVIEWED BY  
DOCKETING

ROPES & GRAY LLP - PATENT DEPT.  
REFERRED TO  
NOTED BY

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Paul Hallenbeck, Chester Springs, PA;  
Garret Hampton, San Diego, CA;  
Carl Hay, Damascus, MD;  
Ying Huang, Oleny, MD;  
John Jakubczak, East Lyme, CT;

Assignment For Published Patent Application

Cell Genesys, Inc. Cell Genesys, Inc.

Power of Attorney:

Linda Judge-42702  
Ping Wang-48328

Attorneys associated with Customer No. 1473

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/11623 04/15/2004  
which claims benefit of 60/463,144 04/15/2003

Foreign Applications

If Required, Foreign Filing License Granted: 08/23/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 10/553,386

Projected Publication Date: 11/29/2007

Non-Publication Request: No

Early Publication Request: No

LARGE

~~\*\* SMALL ENTITY \*\*~~

Title

Tmprss2 Regulatory Sequences and Uses Thereof

Preliminary Class

514

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

### LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).